IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Rothermel and Williams

Serial No.: 09/782,953

Filed: February 13, 2001

For: METHODS AND COMPOSITIONS RELATING TO MUSCLE SELECTIVE CALCINEURIN INTERACTING PROTEIN (MCIP)

Group Art Unit: 1653

Examiner Samuel W. Liu

Atty. Dkt. No.: MYOG:036US/SLH

CERTIFICATE OF MAILING
37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on the date below:

July 20, 2005
Date

Steven L. Highlander

DECLARATION OF BEVERLY ROTHERMEL AND R. SANDERS WILLIAMS

UNDER 37 C.F.R. § 1.131

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-01450

Dear Sir:

I, Beverly Williams and R. Sanders Williams, do declare the following:

1. We are citizens of the United States. Beverly Rothermel at 1409 Schumac Lane, Bedford, TX 76022 and R. Sanders Williams resides at 2 Piling Place, Durham, NC 27707.

2. R. Sanders Williams currently holds the position of Dean of the Medical School at Duke University. Beverly Rothermel currently holds the position of Assistant Professor at the University of Texas Southwestern Medical Center at Dallas.

3. R. Sanders Williams is the first inventor listed as an inventor in the above-captioned application and Beverly Rothermel is the second inventor listed as an inventor for the same.

4. The subject matter of the rejected claims was conceived prior to the earliest effective date of the cited reference, U.S. Patent 6,673,604. As support of this statement, we have attached hereto a notebook page showing purchase of primers for the amplification of MCIP (then known as DSCR-1), which page is dated prior to July 23, 1999. This page, coupled with the invention disclosure submitted with the Declaration previously on record, demonstrates our conception of the invention prior to the earliest effective date of the '604 patent. Further, there was continuous work on the project from before July 23, 1999 to the time of filing of the instant application, namely February 13, 2001.

5. We hereby declare that all statements made of our awn knowledge are true and all statements made on information are believed to be true and further that the statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under § 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of this application or any patent issued thereon.

7/18/05
Date

Beverly Rothermel

Date

R. Sanders Williams

primers for PCR of HA tagged DSCR1

Run date:
Customer: Bev Rothermel
Run ID: 5' DSCR1
Instrument:
Sequence name: WILLIAMS
Sequence: 5' CCA CTG TGA AAC AGA ATG GTG 3'
Length 21 7 A 6 G 4 C 4 T
Comments: Deliver NB11.208. For PCR off human cDNA
Tm: 52.3 °C 47.6 % G+C
Cycle: 48NM
End procedure: STANDARD
DMT On DMT Off
1.
2.
Multiple

Run date:
Customer: Bev Rothermel
Run ID: 3'DSCR1
Instrument:
Sequence name: WILLIAMS
Sequence: 5' CAG TTC AGC TGA GGT GGA TC 3'
Length 20 4 A 7 G 4 C 5 T
Comments: deliver NB11.208. for PCR off of human cDNA
Tm: 53.7 °C 55.0 % G+C
Cycle: 48nm
End procedure: STANDARD
DMT On DMT Off
1.
2.
Multiple

Tm = 54

how about three more sets of primers?

Run date:
Customer:
Run ID: 3' HA DSCR1
Instrument:
Sequence name:
Sequence: 5' TAG AGC GTA GTC TGG GAC GTC GTA TGG GTA GCT GAG GTG GAT TGG CG 3'
Length 47 8 A 21 G 7 C 11 T
Comments: Deliver NB11.208. For PCR of human DSCR1, adds HA tag N-term.
Tm: 75.8 °C 59.6 % G+C
Cycle: 48NM
End procedure: STANDARD
DMT On DMT Off
1.
2.
Multiple

final ac

(12 bp nucleotide) Tm = 54 should be fine.

Kozak

GCC$^{A}_{G}$CCAUGG

Oligo 101

571 1856-088
GENOSYS
5'DSCR1
5'-CCACTCTGAAACAGAATGGTG
11.800D 367.9µg 56.8nmol
Tm=63.0°C 30.7µg/OD MW=6458

Oligo 102

571 1858-087
GENOSYS
3'DSCR1
5'-CAGTTCAGCTGAGGTGGATC
11.60D 357.5µg 53.7nmol
Tm=62.5°C 31.6µg/OD MW=6658

Oligo 103

571 1871-011
GENOSYS
3'DSCR1-HA
5'-TAGAGCGTAGTCTGGGACGTCGT ATGGTAGCTGAGGTGGATCGGCG
10.90D 1295.4µg 88.3nmol
Tm=68.0°C 31.7µg/OD MW=14681

95 - 5 min
95 - 30 sec
30x 55 - 5 sec
65 - ramp 10 sec/deg - 75 sec hold
55 - ramp 10 sec/deg - 15 sec hold
3

4

PCR product should be: ~560 bp in length (for HA version)

will clone into TA vector

what about primers for ZAK1-4 and REX1 ?

ZAK1-4

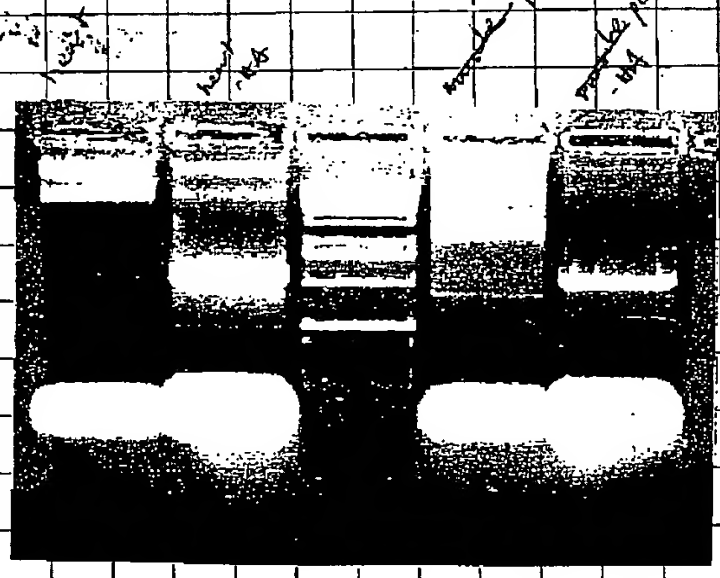
5' CCA GCC CCT AGC ATG GAC TG
M D

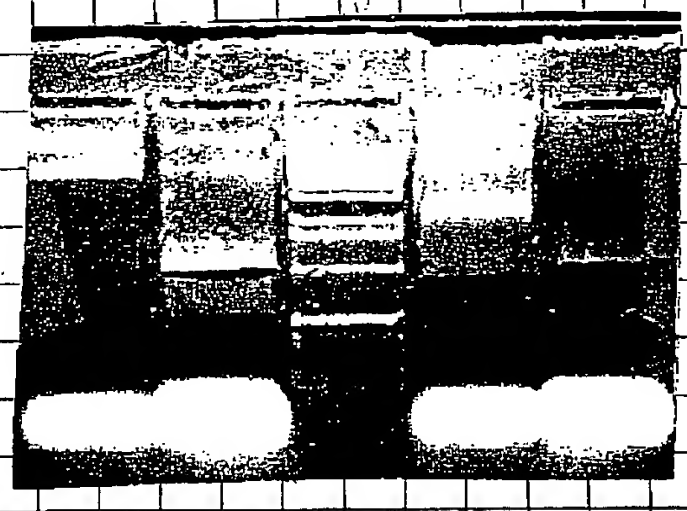
3' AGC TCA GTT GGA CAC GGA GGG TG

stop

3' HA tag

AGC GTA GTC TGG GAC GTC GTA TGG GTG





in the HA lanes I'm getting a major band, but, it's far too long, what are all the very large products I'm getting too?

I'll cut out the ones from the HA lanes and set up a ligation with them, as for the others, I'm not sure what to do with them

pool 1-3 (- HA version)

pool 4-6 (HA version

HA primer 3' primer.

set up PCR using 4-5 as templates and original DNA

#4

new program:

	95	- 5	min
	94	- 30	sec
30X	75	- 5	sec
	62	- 10 sec ramp	- 15 sec
	72	- 30	sec